

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 20, 2004**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Vogel (Miriam A.), J., Mallano, J., Suzukawa, J. (Assigned) and S. Beaux, Deputy Clerk.

Each of the following:

B170875 People v. Ramirez  
B170958 People v. Gary  
B171079 People v. Matthews  
B171171 People v. Haynes  
B171481 People v. Saravia  
B171358 People v. Rizo  
B171637 People v. Grechario M.  
B172090 People v. Meza, Roberto  
B172616 People v. Trout  
B173805 People v. Barnes  
B173919 DCFS v. Eliza A. & Jorge S.  
B174070 DCFS v. Tawnia S.  
B174177 DCFS v. Robert D.  
B174448 In re GARY on Habeas Corpus  
B174731 DCFS v. S.W.  
B175271 DCFS v. John J.  
B175791 DCFS v. Atosha H.  
B176751 People v. Meza, Michael  
B177948 Michael O. v. SCLA (DCFS, r.p.i.)  
B178764 Alejandro R. v. SCLA (DCFS, r.p.i.)

Argument waived, cause submitted.

DIVISION ONE (Continued)

B171044 Begando  
v.  
Peterson et al.

Merits:  
Argued by Albert P. DiRocus, Jr. for appellants and by Richard Hoffman  
for respondent. Cause submitted.

B171024 People  
v.  
Borunda

Merits:  
Argued by David D. Carico for appellant and by Robert S. Henry, Deputy  
Attorney General, for respondent. Cause submitted.

B164936 People  
v.  
Wang

Merits:  
Argued by Valerie C. West for appellant and by Stephanie A. Miyoshi,  
Deputy Attorney General, for respondent. Cause submitted.

B171484 People  
v.  
Williams

Merits:  
Argued by Roberta Simon for appellant and by Juliet H. Swoboda, Deputy  
Attorney General, for respondent. Cause submitted.

Vogel, J. leaves the bench.

DIVISION ONE (Continued)

B169295 People

v.

Cummins

Kelly

Merits:

Argued by Edward J. Haggerty for appellant Kelly; by Maxine Weksler for appellant Cummins and by Michael W. Whitaker, Deputy Attorney General, for respondent. Submission is deferred. Appellants to file one page supplemental brief within 7 days. Respondent may reply 7 days thereafter. The matter will be submitted on the 14th day.

B168776 Church of Christ in Hollywood et al.

v.

Cage-Barile

Merits:

Argued by Lady Cage-Barile for appellant in propria persona and by Mark Bradley Hartzler for respondents. Cause submitted.

B172190 Bowen

v.

Bank of America Corporation et al.

Merits:

Argued by Robert K. Crowe for appellant; by Jonathan P. Hayden for respondent Bank of America and by Andrea Y. Slade for respondent Union Bank. Attorney Christine M. Johnson waived argument for respondent Downey Savings. Cause submitted.

Vogel, J. returns to the bench.

B173088 Los Angeles County, D.C.S.

v.

Axel B.

Merits:

Argued by Lori A. Fields for appellant and by Kim Nemoy, Deputy County Counsel, for respondent. Cause submitted.

DIVISION ONE (Continued)

B168986     People  
              v.  
              Moss

Appearances:

Erika Jackson, Deputy Attorney General appearing for respondent. No appearance for appellant. Argument waived, cause submitted.

Court recessed 11:01 a.m.

Court reconvened at 11:09 a.m.

Present: Spencer, P.J., Vogel (Miriam A.), J., Mallano, J., Suzukawa, J. (Assigned) and S. Beaux, Deputy Clerk.

B172918     Fiege  
              v.  
              Cooke et al.

Merits:

Argued by Bruce Gelber for appellant; by Barry M. Wolf for respondent Cooke and by Bruce M. Butler for respondent Woolridge. Cause submitted.

B175201     Hernandez  
              v.  
              Universal City Studios Credit Union et al.

Merits:

Argued by Jeffrey A. Hacker for respondent; by George C. Rudolph for appellant Universal City Studios Credit Union; by Paul F. Schimley for appellant Smith and by E. Sean McLoughlin for appellant Ott. Cause submitted.

Suzukawa, J. (assigned) leaves the bench.

DIVISION ONE (Continued)

B170006 Pollard  
B170460 v.  
Ericsson, Inc. et al.

Merits:  
Argued by Shawn F. Khorrami for appellant; by Wayne W. Call for  
respondent Ericsson, Inc. and by Thomas R. Freeman for respondent Nokia  
Inc. Cause submitted.

Court adjourned.

B177948 Michael O. et al. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petitions for extraordinary writ are denied.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.  
Suzukawa, J. (Assigned)

DIVISION FOUR

B171427 People (Not for Publication)  
v.  
Lau

The judgment is affirmed.

Grimes, J. (Assigned)

We concur: Vogel (C.S.), P.J.  
Hastings, J.

## December 20, 2004 (Continued)

## DIVISION FOUR (Continued)

B166737 People  
v.  
Pantaleon,  
Accredited Surety & Casualty Co, Inc.

Filed order certifying opinion for publication.

B172772      Los Angeles County, D.C.S.  
v.  
Donald S.

Filed order granting petition for rehearing.

## DIVISION SIX

B172763      People      (Certified for Publication)  
v.  
Watson

The judgment is reversed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

B172437 People (Not for Publication)  
v.  
Patrick

Accordingly, the judgment is reversed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

DIVISION SIX (Continued)

B170252      Brown (Yana)                      (Certified for Publication)  
                 v.  
                 Yana

The judgment is reversed. Costs are awarded to appellant.

Gilbert, P.J.

I concur:      Coffee, J.  
I dissent:      Yegan, J. (opinion)

DIVISION SEVEN

B175125      Los Angeles County, D.C.S.              (Not for Publication)  
                 v.  
                 T.A.

The judgment is affirmed.

Johnson, J.

We concur:      Perluss, P.J.  
                 Woods, J.

B172138      Miller                                      (Not for Publication)  
                 v.  
                 Saladino

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur:      Perluss, P.J.  
                 Woods, J.

December 20, 2004 (Continued)

## DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.  
Zelon, J.

B172562 Christensen et al. (Not for Publication)  
v.  
Brar et al.

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.  
Zelon, J.

## DIVISION EIGHT

B176477 Richard Hayden (Not for Publication)  
v.  
Superior Court, Los Angeles County

The petition is granted. The appellate division of the superior court is directed to vacate its June 30, 2004 order denying petitioner's petition for a writ of mandate and to thereafter grant the petition and direct the trial court to dismiss the action entitled *People of the State of California v. Richard Ignatious Hayden*, Los Angeles Superior Court case number 0SA02010.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.



December 20, 2004 (Continued)

## DIVISION EIGHT (Continued)

B175726 People (Not for Publication)

V.

Troy Darnell Claiborne

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.  
Flier, J.

B176589      Los Angeles County, D.C.S.      (Not for Publication)

V.

Lisa C.,

In re Raquel C., et al., Persons coming Under the Juvenile Court Law.

The order is affirmed.

Boland, J.

We concur: Cooper, P.J.  
Flier, J.